UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

DATA TREASURY CORPORATION, **Plaintiff,** **v.** **WELLS FARGO & COMPANY, et al.,** **Defendants.**	**2:06-CV-72 DF**

JOINT MOTION

DataTreasury Corporation ("DataTreasury"), Plaintiff, and Wells Fargo & Company and Wells Fargo Bank, N.A. (collectively "Wells Fargo"), Defendants, file this Joint Motion (the "Joint Motion"), requesting that the Court order DataTreasury to file an amended surreply, if any, in response to Wells Fargo's Amended Reply in Support of Motion to Dismiss or, in the Alternative, to Stay Pending Arbitration ("Amended Reply") by 12:00 p.m. April 11, 2007.

1. On or about Wednesday, April 4, 2007, the Court granted DataTreasury leave to file a Motion for Preliminary Injunction, seeking to enjoin an ongoing arbitration proceeding between DataTreasury, Wells Fargo, and WMR e-PIN, LLC. The Court further ordered Wells Fargo to respond to DataTreasury's Motion for Preliminary Injunction by 5:00 p.m. on Thursday, April 12, 2007.

2. On Thursday, April 5, 2007, the Court ordered DataTreasury to file a response to Wells Fargo's Motion for Leave to file Amended Reply in Support of Motion to Dismiss or, in the Alternative, to Stay Pending Arbitration (the "Motion for Leave") by 5:00 p.m. on Tuesday, April 10, 2007.

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3. On Tuesday, April 10, 2007, Wells Fargo agreed to stay the prosecution of the arbitration as to DataTreasury pending a final determination of Wells Fargo's Motion to Dismiss or, in the Alternative, to Stay Pending Arbitration ("Motion to Dismiss"), including any appellate remedies. In exchange, DataTreasury agreed to the following: (1) continue to participate in the arbitration proceeding for the purpose of selecting arbitrators; (2) file an unopposed motion to withdraw its Motion for Preliminary Injunction; and (3) file a notice withdrawing DataTreasury's opposition to Wells Fargo's Motion for Leave. The parties further agreed that, to the extent that DataTreasury wished to file any amended surreply to Wells Fargo's Amended Reply, DataTreasury must file any such amended surreply by 12:00 p.m. on Wednesday, April 11, 2007, and any such amended surreply must be limited to responding to the new material contained in Wells Fargo's Amended Reply and must not exceed 21 pages.

4. Pursuant to that agreement, the parties request that the Court order DataTreasury to file its amended surreply, if any, to Wells Fargo's Amended Reply by 12:00 p.m. on Wednesday, April 11, 2007, and that any such amended surreply is limited to responding to the new material contained in Wells Fargo's Amended Reply and cannot exceed 21 pages.

FOR THE FOREGOING REASONS, DataTreasury Corporation, Wells Fargo & Company and Wells Fargo Bank, N.A. respectfully request that the Court order DataTreasury to file its amended surreply, if any, to Wells Fargo's Amended Reply by 12:00 p.m. on Wednesday, April 11, 2007, and that any such amended surreply is limited to responding to the new material contained in Wells Fargo's Amended Reply and cannot exceed 21 pages.

Respectfully submitted,

By: /s/ W. Barton Rankin____________

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CERTIFICATE OF SERVICE

I hereby certify that on the 11th day of April 2007, a true and correct copy of the *Joint Motion* was forwarded to the following counsel of record via electronic mail:

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